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2 RUSSELL D. GREER, CHAPTER 13 STANDING TRUSTEE
3 TALVINDER S. BAMBHRA, #230907. ATTORNEY FOR TRUSTEE
4 LILIAN G. TSANG, #260460. ATTORNEY FOR TRUSTEE
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6 MODESTO, CALIFORNIA 95353-3051TELEPHONE (209) 576-1954
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5 UNITED STATES BANKRUPTCY COURT
6 EASTERN DISTRICT OF CALIFORNIA
7 SACRAMENTO DIVISION
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10 IN RE: Case No: 23-20020-C-13G
11 DCN: RDG-1
12 LARRY DALE BUTLER)
13 DECLARATION OF LINDA SHIELDS
14)
15 IN SUPPORT OF TRUSTEE'S
16)
17 OBJECTION TO CONFIRMATION
18)
19)
20 DATE: MARCH 28, 2023
21)
22 TIME: 9:30 A.M.
23)
24 JUDGE: KLEIN
25 Debtor(s)) COURTRoom: 35
26
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19 I, Linda Shields, do hereby state and declare as follows:

20 1. I am over the age of eighteen years old and not a party to this action.
21 2. I am employed by RUSSELL D. GREER, TRUSTEE, and in the course of my
22 employment, I am familiar with his records and procedures, and the records of this case, and I
23 can testify as to both.

24
25 3. The 341 Meeting held on February 23, 2023, was conducted by TALVINDER S.
26 BAMBHRA, ATTORNEY FOR TRUSTEE. I have reviewed her contemporaneous notes, the
27 Court's Docket, and Trustee records and they reflect the following:
28

1 4. Debtor Larry Dale Butler failed to appear and be examined at the First Meeting of
2 Creditors held on February 23, 2023. That meeting has been continued to March 9, 2023 at 10:00
3 a.m.

4 5. The Debtor has failed to provide the Trustee with a tax transcript or a copy of his
5 Federal Income Tax Return with attachments for the most recent pre-petition tax year for which
6 a return was required, or a written statement that no such documentation exists.
7

8 6. Debtor has failed to provide evidence of his current income.
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10 7. Debtor has failed to file a credit counseling certificate evidencing that Debtor
11 obtained the credit counseling.
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13 8. Debtor's Schedules A, B, D and E list assets in the amount of \$13,400.00 and no
14 priority claims. Debtor claims no exemption on Schedule C. (DN 16) Trustee estimates, based on
15 a review and analysis of Debtor's schedules, that Debtor has non-priority general unsecured
16 claims totaling \$22,940.00. Debtor's Plan does not provide a dividend to unsecured creditors at
17 Section 3.14. (DN 15 Page 5)
18

19 9. Debtor's Schedule J at Line 17a includes a vehicle installment payment of
20 \$680.00 (DN 16 Page 31). Debtor's Plan provides for CIG Financial as a Class 1 creditor.
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22 10. Debtor's plan fails to indicate the percentage to be paid to general unsecured
23 creditors. (DN 15 Page 5)
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25 11. Debtor's plan lists a claim owed to CIG Financial in Class 1 with pre-petition
26 arrears of \$2,300.00 but fails to provide a monthly dividend payable to those arrears. (DN 15
27 Page 3)
28

29 12. Debtor's Chapter 13 Statement of Current Monthly Income (DN 14) indicates
30 gross wages of \$5,000.00 a month and current monthly income for the year of \$60,000.00.
31

1 Debtor's Form 122C-1 establishes that Debtor is a below median income Debtor and the
2 appropriate commitment period is 3 years. Debtor has proposed a 24-month plan term.
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4 I declare under penalty of perjury that the foregoing is true and correct.

5 Executed on February 27, 2023, at Modesto, California.

6 /S/ Linda Shields

7 Linda Shields, Paralegal
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